



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF OPTOMETRY

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

Administrative Action

HUNGSUN SONG, O.D. :
License No. OA05337 :

FINAL ORDER :
OF DISCIPLINE :

TO PRACTICE OPTOMETRY :
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Optometry ("Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Respondent is an optometrist in the State of New Jersey and has been a licensee at all times relevant hereto.

2. Renewal of licenses for optometrist occurs biennially(N.J.S.A.45:1-7). In approximately, February 1999, a renewal application for the license period beginning April 30, 1999 through April 30, 2001 was forwarded to the respondent at the last known address on file with the Board: 123 Route 46 East, Parsippany, New Jersey.

3. A renewal of license application and the corresponding renewal fee were not received by the Board prior to or after the April 30, 1999 expiration date.

4. On October 25, 1999 written notification regarding respondent's failure to renew was mailed to the respondent at the respondent's last known address. This notification also informed the respondent that the said license to practice optometry would be removed from the active license list within 10 days of the date of the notice. The notice was mailed via certified and regular mail. Neither the certified nor the regular mail has been returned to the Board. Copy of the notice of lapsed license is attached hereto as Exhibit A.

CONCLUSIONS OF LAW

The above facts provide grounds for the revocation of his license to practice optometry in New Jersey pursuant to N.J.S.A 45: 12-9 in that it is based on findings that the respondent is in default of his payment of registration renewal fees .

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice optometry in the State of New Jersey was entered on July 19, 2000 and a copy was forwarded to respondent at the last known address on file with the Board. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Although the Provisional Order sent by means of certified mail it was returned marked "refused." and the regular mail was returned marked "not at this address." Because the Order was forwarded to respondent's address of record, the Board deems service to have been effected. Accordingly, it is determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 30th day of October, 2000,

ORDERED that:

1. Respondent's license to practice optometry in the State of New Jersey be and hereby is revoked until the respondent submits an application for reinstatement of license.

2. Respondent shall submit the following upon application for reinstatement::

- a. Payment of all past delinquent renewal fees;
- b. Payment of a reinstatement fee;
- c. An affidavit of employment listing each job held during the period of suspended license which includes the names, addresses and telephone numbers of each employer;
- d. Proof of current proficiency by completing the continuing education credits required for renewal of an active license.

3. Should respondent seek reinstatement of license more than five (5) years past the expiration date, respondent shall successfully complete the examination required for initial licensure in addition to the requirement set forth in paragraph two (2) above as required by N.J.S.A. 45:1-7(d).

4. Prior to resuming active practice in New Jersey respondent shall be required to appear before the Board (or a committee thereof) to demonstrate his fitness to do so, and any practice in this State prior to said appearance shall constitute grounds for the a charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on respondent's practice should his license be reinstated.

NEW JERSEY STATE BOARD OF OPTOMETRY

By 

Barry Schneider, O.D.
Board President

Exhibit A



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

NEW JERSEY STATE BOARD OF OPTOMETRISTS

124 HALSEY STREET, 6TH FLOOR, NEWARK NJ

CHRISTINE TODD WHITMAN
Governor

JOHN J. FARMER, JR.
Attorney General

NOTIFICATION OF LAPSED LICENSE STATUS

The Practicing Optometry Licensing Act

N.J.S.A. 45:12-1 et seq.

MARK S. HERR
Director

Mailing Address:

PO Box 45012
NEWARK NJ 07101
(973) 504-6440

October 22, 1999

Hungsun Song, O.D.
123 Route 46 East
Parsippany, NJ 07054-2300

License Number: OA 05337
Expiration Date: April 30, 1999

Dear Dr. Song:

State law requires that you renew your license biennially. Our records indicate that you have not renewed your license since the date listed above.

This is official notification that your license will be automatically removed from the license list if we do not hear from you within 10 days of this letter. The practical implications of this is that you are not considered to have a license to practice optometry in the State of New Jersey. Should an insurance company, consumer, or any interested party call to verify licensure, they will be advised that your license is lapsed and that you cannot practice. You may be in violation of the law if you continue to practice with a non-current license.

If you wish to remedy this situation, you must do the following:

1. Pay all past renewal fees;
2. Late fees for each renewal missed; and
3. Supply the Board with sufficient continuing education for each renewal period missed.

Very truly yours,
Board of Optometrists

By: Susan H. Gartland
Susan H. Gartland, Executive Director

SHG/meb
Via Certified and Regular Mail
CM: RRR Z 307 388 448